UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JEFFREY PROVENZANO, THOMAS BENJAMIN and MONICA AGOSTO, on behalf of themselves and all others similarly situated,	Civil Action No. 1:07-CV-0746, LEK/RFT
Plaintiffs,	**NOTICE OF MOTION TO DISMISS**
-against-	
THE THOMSON CORPORATION and WEST PUBLISHING CORPORATION d/b/a BARBRI,	
Defendants.	

PLEASE TAKE NOTICE that upon the Declaration of Thomas J. Cahill, dated August 17, 2007, and the exhibits annexed thereto, and the accompanying Memorandum of Law, and upon all the pleadings and proceedings had herein, defendants The Thomson Corporation and West Publishing Corporation, by and through their undersigned attorneys, Satterlee Stephens Burke & Burke LLP, will move this Court, at the Courthouse located at 445 Broadway, Albany, New York, on September 21, 2007, at 9:30 a.m., for an order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the complaint in its entirety for failure to state a claim upon which relief may be granted, and for such other and further relief as this Court deems proper.

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Dated: New York, New York
August 17, 2007

SATTERLEE STEPHENS BURKE & BURKE LLP

By:__________/S/________________________
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